

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION

JAMES HARDNETT, MAURICE  
SEGREST, On behalf of themselves and  
others similarly situated

PLAINTIFFS

vs.

CASE NO. 5:05CV00121GH

CRACKERBOX #33, LLC, INC.,  
ET AL.

DEFENDANTS

**ORDER**

Pending before the Court are plaintiffs' motion to compel and motion to extend class certification deadline. The Court is in receipt of a letter from plaintiffs' counsel stating that the motion to compel has been resolved and therefore plaintiffs are withdrawing the motion. With regard to the motion for extension of time to file their motion for class certification, plaintiffs state that defendants agree that plaintiff can have until April 24, 2006, to file their motion. Additionally, the parties request that the case be referred to the Magistrate Judge for a settlement conference sometime before the 60-day deadline for production of documents from defendants which is March 24, 2005.

Accordingly, the motion to compel is denied as moot; the motion to extend time to file the motion for class certification is granted. Plaintiffs shall have until April 24, 2006 to file their motion. The case is referred to the Magistrate Judge for a settlement conference. The Clerk is directed to provide a copy of this Order to the Magistrate Judge.

IT IS SO ORDERED this 1<sup>st</sup> day of February, 2006.

*George Howard, Jr.*  
UNITED STATES DISTRICT JUDGE